

From: Emanuel Kataev <[emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)>  
Subject: RE: [EXTERNAL] RE: response date for your motion  
Date: Jul 27, 2024 at 4:55:34 PM  
To: Dan Brecher <[dbrecher@sh-law.com](mailto:dbrecher@sh-law.com)>

In that case, Defendant will oppose your application for an extension of time.

Please be guided accordingly.

Regards,

**Emanuel Kataev, Esq.**  
**Sage Legal LLC**  
**Emanuel Kataev, Esq., P.C.**

18211 Jamaica Avenue  
Jamaica, NY 11423-2327  
(718) 412-2421 (office)  
(917) 807-7819 (cellular)  
(718) 489-4155 (facsimile)  
[emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)

**From:** Dan Brecher <[dbrecher@sh-law.com](mailto:dbrecher@sh-law.com)>  
**Sent:** Saturday, July 27, 2024 4:54 PM  
**To:** Emanuel Kataev <[emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)>  
**Cc:** Dan Brecher <[dbrecher@sh-law.com](mailto:dbrecher@sh-law.com)>  
**Subject:** Re: [EXTERNAL] RE: response date for your motion

**Caution: This email originates from outside of the [sagelegal.com](https://www.sagelegal.com). Do not click links or open attachments unless you recognize the sender and know the content is safe**

I object to your seeking to leverage here, for the benefit of a separate client in a separate matter, the obvious need to extend the submission date of your motion for sanctions in this case until after the underlying motion to dismiss is decided.

It is a waste of the Court's time and the parties' money to have made your sanctions motion returnable before the underlying motion to dismiss is decided.

No motion is pending before Justice Cohen, and he already issued his decision and order requiring your response to the Second Amended Complaint; moreover, I already gave you the extension you asked for in that separate action, even after months of previous procedural delay from no fault of the Plaintiffs.

Here, the decision of the motion that is sub judice before Judge Clarke is not only material to the response to your motion, it may be determinative of certain issues material to the motion and our response.

If you will not consent to extending the submission date of your motion for sanctions until two weeks after this Court's decision on your motion to dismiss, I intend to promptly write to the Court (including with our correspondence), and seek that extension of two weeks from the publication of the Court's decision on your motion to dismiss.

Dan

Sent from my iPhone

On Jul 27, 2024, at 2:54 PM, Emanuel Kataev <[emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)> wrote:

**[EXTERNAL EMAIL]**

I can agree to an extension for as much reciprocal time as you provide me to respond to the second amended complaint in the Barbara Halio state court action.

Best,

**Emanuel Kataev, Esq.**

**Sage Legal LLC**

**Emanuel Kataev, Esq., P.C.**

18211 Jamaica Avenue

Jamaica, NY 11423-2327

(718) 412-2421 (office)

(917) 807-7819 (cellular)

(718) 489-4155 (facsimile)

[emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)

**From:** Dan Brecher <[dbrecher@sh-law.com](mailto:dbrecher@sh-law.com)>

**Sent:** Saturday, July 27, 2024 2:47 PM

**To:** Emanuel Kataev <[emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)>

**Cc:** Dan Brecher <[dbrecher@sh-law.com](mailto:dbrecher@sh-law.com)>

**Subject:** response date for your motion

Caution: This email originates from outside of the [sagelegalllc.com](http://sagelegalllc.com). Do not click links or open attachments

unless you recognize the sender and know the content is safe

---

Mr. Kataev:

Will you stipulate, or agree to a letter request of the Court, that my response to your motion is due ten days after the Court publishes the decision on your motion to dismiss?

Dan

**DAN BRECHER** | Counsel | Chair, Securities and Investment Banking Group

[DBrecher@sh-law.com](mailto:DBrecher@sh-law.com) | [Bio](#) | [vCard](#) | [LinkedIn](#)

Direct Phone: [917.861.5057](tel:917.861.5057)

**SCARINCI | HOLLENBECK, LLC**

**519 8th Avenue | 25th Floor | New York, NY 10018 | [map](#)**

P: 212.286.0747 | F: 212.808.4155

**[sh-law.com](http://sh-law.com) | New York | New Jersey | D.C.**

**Please note: Our Office has Moved.**

**Download my vcard for updated address information.**

Click Here for the [Full Press Release about our recent changes](#)